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Children and armed conflict

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to paragraph 20 of Security Council resolution 1261 (1999), which represents a veritable landmark for the cause of children affected by armed conflict. The adoption of the resolution has finally given full legitimacy to the protection of children exposed to conflict as an issue that properly belongs on the agenda of the Council. The Security Council has now clearly acknowledged in several resolutions and presidential statements that the harmful impact of conflict on children has implications for peace and security. In addition to resolution 1261 (1999), Security Council resolutions 1265 (1999) and 1296 (2000), both on the protection of civilians in armed conflict, have also emphasized the particular vulnerability of children and the need for special measures for their protection.

2. In the internecine conflicts of recent years, children have increasingly been victimized as both the targets and the perpetrators of violence. Almost one half of the world's 21 million refugees are children, while it is estimated that another 13 million children have been displaced within the borders of their own countries. The number of children under the age of 18 who have been coerced or induced to take up arms as child soldiers is generally thought to be in the range of 300,000. Each year, between 8,000 and 10,000 children are the victims of landmines. The World Education Forum held in April 2000 recognized that the number and extent of conflicts in the last decade have constituted major obstacles to the goal of providing education for all by the year 2000. UNICEF data indicate that, during the decade between 1986 and 1996, armed conflicts killed 2 million children, injured 6 million, traumatized over 10 million and left more than 1 million orphaned.

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3. Beyond these cold numbers are the haunting images, from place after place, of adolescent victims of rape, which has become as much a weapon of warfare as bullets and machetes, of child soldiers barely the height of the automatic weapons they carry, and of children separated from their families in conditions of extreme deprivation. Armed conflicts also increasingly serve as vectors for the HIV/AIDS pandemic, which follows closely on the heels of armed troops and in the corridors of conflict. Fed by a booming illicit trade in arms and natural resources, these conflicts are threatening to erode the public values and the legal and social structures needed to nurture and protect our youth.

4. The statistics and images tell the same story: children are disproportionately affected by armed conflict and their needs merit our concerted attention, as both the Security Council and the General Assembly have affirmed. Children, caught in the midst of critical stages of personal development, are affected by war more profoundly than are adults. They depend, even more than adults do, on the protection afforded in peacetime by family, society and law. Wars can threaten to strip away these layers of protection, with adverse consequences for children's development and, consequently, for peace and stability for generations to come.

5. Building on earlier non-governmental organizations and academic studies, four years ago Graça Machel submitted to the General Assembly a groundbreaking report on the impact of armed conflict on children. A year later, on the recommendation of the General Assembly, I appointed Olara A. Otunnu as my Special Representative for Children and Armed Conflict.

II. The normative foundation

6. If the impressive array of humanitarian and human rights standards intended to protect children from armed conflict were universally and seriously respected, the protection of children would largely be assured. As noted in an earlier report to the Council on the protection of civilians in armed conflict (S/1999/957), international instruments are essential tools for the legal protection of all civilians in armed conflict, and their ratification and, most importantly, their implementation should be a top priority for Member States.

7. In September 2000, a decade will have passed since the entry into force of the Convention on the Rights of the Child. Efforts to ensure the protection of children in times of armed conflict are undertaken within the framework of the Convention, which has several unique characteristics relevant to children in situations of armed conflict. It fully articulates children's political, civil, economic, social and cultural rights; it underlines the importance of child participation and incorporates humanitarian law; it remains fully in force in armed conflict situations; it commits States parties to promote the physical and psychosocial recovery and social reintegration of children who have been victims of armed conflict; and it obliges States parties to apply its provisions to all children within their jurisdiction, without discrimination. Full protection is to be extended, for example, to children escaping from war in their home countries and seeking refuge in another State party. The Convention requires States parties to take effective measures to abolish social practices prejudicial to the health of children. This would necessarily include practices that put children in harm's way in the context of armed conflict.

8. The Geneva Conventions of 1949 and their Additional Protocols of 1977 contain many child-specific provisions. In addition, several recent developments have supplemented the already strong legal foundation for child protection. The 1998 Rome Statute of the International Criminal Court defines the conscription, enlistment or use in hostilities of children under 15 by national armed forces or armed groups, intentional attacks on civilian populations, humanitarian assistance personnel and vehicles, hospitals and educational buildings as war crimes. The Statute defines the forcible transfer of the children of a threatened national, ethnic, racial or religious group to another group as genocide, while rape and sexual slavery are classified as both war crimes and crimes against humanity. The 1999 ILO Convention (No. 182) on the Elimination of the Worst Forms of Child Labour prohibits the forced or compulsory recruitment of children under 18 for use in armed conflict. The African Charter on the Rights and Welfare of the Child, which prohibits the recruitment or direct participation in hostilities or internal strife of anyone under the age of 18, entered into force in November 1999.

9. In January of this year an important development occurred when, after six years of difficult negotiations, the Working Group on the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict reached consensus on a text. The resolution of this issue was due in large part to productive cooperation among Member States, my Special Representative for Children and Armed Conflict, United Nations agencies and non-governmental organizations, in particular the Coalition to Stop the Use of Child Soldiers. On 25 May the Optional Protocol was adopted by the General Assembly and on 5 June it was opened for signature and ratification by all States that have either signed or ratified the Convention on the Rights of the Child.

10. The Optional Protocol strengthens the Convention in a number of significant ways:

- It sets the minimum age for compulsory recruitment or direct participation in hostilities at 18;
- It calls upon States parties to raise the age for voluntary recruitment and to provide special protections and safeguards for those under 18;
- It categorically prohibits armed groups from recruiting or using in hostilities anyone under 18;
- It calls upon States parties to provide technical cooperation and financial assistance to help prevent child recruitment and deployment, and to improve the rehabilitation and social reintegration of former child soldiers.

11. In addition to formal international and domestic legal standards, historically most societies have recognized the fundamental obligation to protect children from harm, even in times of conflict. But in the "free for all" of many of today's conflicts these local edicts are being ignored and undermined. We must mobilize all of our resources and social networks to reassert the societal values and norms that have traditionally provided for the protection of children in times of armed conflict.

Recommendations

1. I call upon all Member States to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in

armed conflict and deposit upon ratification binding declarations indicating age 18 as the preferred minimum age for voluntary recruitment into national armed forces.

2. I call upon Member States to ratify the Rome Statute of the International Criminal Court and ILO Convention No. 182, both of which contain important provisions for the protection of children in situations of armed conflict.

3. Member States, particularly those reviewing their national legislation with a view to ratifying the Rome Statute, are called upon to define the crimes within the jurisdiction of the International Criminal Court as national crimes, and also to ensure that national courts can exercise "universal jurisdiction" for egregious violations of the rights of children in the context of armed conflict.

4. I propose that the Security Council urge armed groups to commit themselves to the child protection standards embodied in the Convention on the Rights of the Child and its Optional Protocol and in international humanitarian law regarding the rights and protection of children in times of armed conflict, and to accept and cooperate in the monitoring of adherence to those standards.

5. The United Nations system and international non-governmental organizations should work closely with and support local communities and civil society groups in their efforts to strengthen local norms and social networks that have traditionally provided for the protection of children, including in times of war.

III. Protection of children in the midst of conflict

A. Monitoring of obligations and commitments

12. Over the past two years, my Special Representative for Children and Armed Conflict has worked with the United Nations country teams, particularly Resident Coordinators and UNICEF representatives, to systematically elicit commitments from the leaders of parties in conflict in several countries — including Burundi, Colombia, the Democratic Republic of the Congo, Sierra Leone, Sri Lanka and the Sudan — not to target civilian populations, not to block access to populations in distress within their zones of control, not to interfere with the distribution of relief supplies, to observe humanitarian ceasefires for purposes of vaccination or supply of relief, not to attack schools or hospitals, not to use landmines and not to recruit or use children as soldiers. In its resolution 1261 (1999), the Security Council indicated its support for such endeavours by urging all parties to armed conflict to abide by concrete commitments made to ensure the protection of children in situations of armed conflict.

13. Steps towards implementation need to be monitored vigorously and persistently, given that parties to conflict have often failed to live up to such commitments. Actors on the ground, including United Nations country teams and local and international non-governmental organizations, are well placed to play such monitoring and reporting roles. United Nations field operations, and field offices of

UNICEF, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Office of the United Nations High Commissioner for Human Rights are particularly well situated for this task. The International Committee of the Red Cross (ICRC) has an important advocacy role to play. Local and international non-governmental organizations, as well as other members of civil society on the ground, are important partners with diverse capacities for monitoring and advocacy.

B. Measures to encourage compliance with obligations and commitments

14. It is the responsibility of the international community to ensure that those who deliberately harm or target children are held accountable and do not profit from such actions. Distinct forms of leverage can be employed during an ongoing armed conflict to convince parties to reconsider the tactics utilized in their struggle. Member States providing military, economic or political assistance to parties to conflict can condition such aid on respect for fundamental children's rights. Appeals can be made to influential expatriate populations to condition their support for a party to conflict on compliance with internationally accepted standards of behaviour towards children. Third parties with particular influence can be engaged to convey the international community's concerns for children to particular parties to conflict, together with clear indications of what consequences could be expected if such conduct continues. Additional steps could include public exposure to reduce a group's political legitimacy and standing among core constituencies. In severe cases, indictments and prosecution for war crimes should be pursued.

15. Governments and the private sector can each take important steps to reduce the economic incentives and limit the access of parties to conflict to the tools necessary to conduct war, while punishing those who would profit from the continuation of conflict. Many ongoing conflicts depend on illicit cross-border flows of arms, precious natural resources — diamonds, gold and timber — and hard currency. Intra-State conflicts, in which children usually suffer disproportionately, are generally fought with small arms and light weapons that flow illegally across international borders. In this context, the long-term importance of the Council's adoption of resolution 1306 (2000) on Sierra Leone, focusing on the nexus between the illicit trade in diamonds, the illicit trade in arms and their joint role in funding and fuelling conflict, can hardly be overstated.

16. The expert monitoring mechanism that the Security Council has asked me to establish as a result of the sanctions Committee's report on Angola should help to define appropriate actions to be taken against those violating Council sanctions against UNITA. Likewise, I hope that the panel of experts created by the Security Council to undertake a preliminary investigation into the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo will explore the impact that efforts to curb such trafficking might have on children as well as the role of children in the extraction and trafficking of these resources. I encourage the Security Council to apply these findings to similar situations elsewhere.

17. Under the Global Compact, which I launched early in 1999 as a joint undertaking of ILO, the United Nations Environment Programme, the United Nations High Commissioner for Human Rights and the United Nations Development

Programme (UNDP), the United Nations has challenged corporations to adopt equitable labour standards, to respect human rights, and to protect the environment, in their domains, by identifying and promoting good practices. In this respect, it would be important to involve the private sector — locally, regionally and globally — in a dialogue on the ways in which corporations, Governments and intergovernmental bodies could cooperate on the wider agenda of prevention, protection and post-conflict rebuilding of economic and social structures for the benefit of children.

Recommendations

6. Member States are called upon to consider taking measures to make any political, diplomatic, financial, material and military assistance for State or non-State parties to armed conflict contingent on compliance with international standards that protect children in armed conflict.

7. Member States are called upon to consider executive and legislative measures to discourage corporate actors within their jurisdiction from engaging in commercial activities with parties to armed conflict which engage in systematic violations of international standards that protect children in times of armed conflict.

8. It is recommended that the Security Council continue to investigate the linkages between illicit trade and the conduct of war; to sanction States, and to encourage Member States and regional organizations to take measures against corporate actors, individuals and entities involved in illicit trafficking in natural resources and small arms that may further fuel conflicts where victims are largely children and women.

9. As recommended in my report on the protection of civilians in armed conflict (S/1999/957), the Security Council should demand that parties involved in armed conflict not commit egregious crimes against children, or face the possibility of targeted sanctions if they fail to comply.

10. It is proposed that the Security Council and Member States urge the international corporate sector to develop its own voluntary codes of conduct concerning economic activities, including trade in armaments and natural resources, with parties to conflict which are responsible for gross violations of the rights of children; such codes should also provide for industry oversight and monitoring mechanisms.

C. Ensuring access to humanitarian assistance

18. The denial of humanitarian access in conflict situations has a particularly devastating effect on children. Cut off from food, medical assistance, shelter and clothing, too many children must watch as their parents become increasingly helpless to protect and provide for them. The Security Council has expressed its readiness to support the provision of humanitarian assistance to civilian populations in distress, taking into account the particular needs of children. In resolution 1279 (1999), for example, it incorporated child protection into the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),

and instructed the Mission to facilitate delivery of humanitarian assistance for children.

19. When denied regular access to those in need, UNICEF, the World Health Organization (WHO), UNHCR and other United Nations agencies and programmes have pioneered the practice of convincing the parties to conflict to designate certain days or weeks of tranquillity, to respect humanitarian or security zones, or to open safe corridors to permit humanitarian workers to reach pockets of children in war zones in order to provide inoculations, essential foods and medicines.

20. Given the chaotic nature of intra-state violence over these years, it is hardly coincidental that assaults on both children and humanitarian personnel have increased in number over the past decade. Unless these disturbing trends are reversed, it will be impossible to protect the rights and meet the needs of children affected by armed conflict.

Recommendations

11. I recommend that the Security Council insist that all parties to armed conflict permit unconditional and unhindered access of humanitarian personnel and supplies to children caught up in situations of armed conflict, in accordance with international humanitarian law.

12. I call upon Member States that have not yet ratified the 1994 Convention on the Safety of United Nations and Associated Personnel to do so as early as possible and on States parties to ensure its effective implementation.

13. I call upon Member States to provide adequate resources to support United Nations efforts to improve staff security.

D. Curbing the illicit flow of small arms

21. There is undoubtedly a strong correlation between the easy availability of small arms and the dramatic rise in the victimization of women and children. As weapons become lighter, smaller and easier to handle, the number of child casualties of armed conflict mounts and children become increasingly attractive as soldiers and arms runners. The Coordinating Action on Small Arms (CASA) mechanism recently launched an international travelling exhibition entitled "Taking aim at small arms, defending children's rights", sponsored by UNICEF and the Department for Disarmament Affairs. Both UNICEF and the Office of the Special Representative for Children and Armed Conflict work actively through CASA to keep the issue of children and child soldiers on the international political agenda.

22. Subregional organizations and arrangements are well placed to address the illicit cross-border movement of arms, natural resources and children. In 1998, States members of the Economic Community of West African States (ECOWAS) declared a moratorium on the importation, exportation and manufacture of small arms in West Africa for a period of three years. The Great Lakes and Horn of Africa Conference on the Proliferation of Small Arms, held in March 2000, in which 10 regional countries participated at the ministerial level, adopted the Nairobi Declaration, in which a number of regional cooperative measures to curb illegal small arms flows were proposed. In April 2000 in Accra, the ECOWAS States

committed themselves to promoting subregional, cross-border initiatives to reduce the flow of small arms and light weapons, the recruitment and abduction of children, the displacement of populations and the separation of families, as well as illicit trade in natural resources. The challenge now is to make concerted efforts to translate these initiatives into concrete action.

Recommendation

14. In the context of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects to be held in 2001, Member States are called upon to commit themselves to measures that will curtail illicit traffic in small arms, among them the development of global codes of conduct that fully take into account the protection of children, including a reliable system for marking arms and ammunition at the time of manufacture.

E. Ending the threat of landmines

23. In mined areas, full commerce, agriculture, and freedom of movement cannot be safely undertaken without many months or years of mine detection and removal. In the meantime, the return of displaced people and refugees becomes a dangerous and complex task. Children are more frequently exposed to the risks posed by landmines and they are less likely to benefit from efforts at mine awareness education. In areas that have been indiscriminately mined, children are at heightened risk of injury and death each time they go out to play or work in a field, walk along a path to gather wood or fetch water. A mine explosion is likely to cause greater damage to the body of a child than to that of an adult, and maimed child survivors require years of medical treatment and psychological support.

24. The international community has developed several child-focused responses to the problem. The "Child to Child" programme in Kosovo, Federal Republic of Yugoslavia, run by the United Nations Mine Action Coordination Centre, successfully employs games, drama and songs to generate mine awareness among children in high-risk age groups, who are in turn trained to teach their peers about the dangers of mines. Such activities are complemented by the production and worldwide distribution of numerous mine awareness materials, such as comic books, signs, posters, t-shirts, badges, television and radio campaigns, with messages targeted specifically at children. Mine awareness lessons are presented at schools and community events. Physical rehabilitation, legislative reform and programmatic support are increasingly designed to ensure that child victims of landmines are able to participate fully in family and community life.

Box 1
Mine action in Cambodia

In Cambodia, the United Nations and non-governmental organizations collaborate to provide mine-risk education for children at school and in villages (UNICEF and a local non-governmental organization reached 50,539 children in 231 villages in 1999); community education and local capacity-building; mine marking and clearance; physical rehabilitation

for child victims of landmines and unexploded ordnance; and activities to promote the socio-economic reintegration of people with disabilities.

UNICEF began in 1994 to support mine risk education for children, community mine marking, the Community Mine Incident Database, and several projects to assist landmine victims. UNDP manages a trust fund to support the Cambodian Mine Action Centre, the national institution in charge of mine action. Belgian, Norwegian and United Kingdom non-governmental organizations, among many others, are involved in mine clearance and provide necessary technical assistance to national institutions. Non-governmental organizations have paid particular attention to those former conflict areas to which refugees and internally displaced persons have returned and have undertaken joint projects to rehabilitate basic social services, to initiate mine action, and to build local capacity. UNHCR has contracted three Cambodian demining agencies to undertake clearance in the areas of returnee settlement.

Recommendations

15. I call upon all Member States to take urgent steps to regulate and monitor the production and export of anti-personnel landmines from their territory. Those countries that have not ratified the Ottawa Convention are urged to do so without delay and to take the necessary measures to develop full and enabling legislation.

16. It is recommended that the Security Council and the General Assembly ensure that the mandates and budgets for peacekeeping operations include adequate provisions for technical and financial assistance for mine clearance and mine awareness programmes for the benefit of children.

17. Member States, multilateral donors and the private sector are called upon to cooperate and commit the resources necessary for the early development of new and more efficient mine detection and clearance technology.

18. Whenever appropriate, child-focused mine awareness and victim assistance programmes should be incorporated into post-conflict programmes of assistance.

F. Protecting children from the impact of sanctions

25. Hundreds of thousands of children suffer the unintended consequences of blunt sanctions imposed on Governments or armed opposition groups. The potential long-term benefits of sanctions should be weighed against the immediate and long-term costs to children, including the collapse of health and education infrastructures, reduced economic opportunities, increased child labour in informal sectors and increased infant morbidity and mortality. The suffering of Iraqi children, as reported by UNICEF, and of children in the Balkans are troubling cases in point. My Special Representative for Children and Armed Conflict and others actively canvassed for

the suspension of regional sanctions against Burundi, in view of their disproportionately negative impact on children and families.

26. The Security Council has repeatedly signalled its willingness to consider the humanitarian impact of sanctions on vulnerable groups, including children, in a systematic and consistent manner. A number of studies have been undertaken recently by the United Nations system, Governments and private research centres aimed at designing more targeted, "smarter" sanctions.

27. While important, these studies have not directly focused on the impact of sanctions regimes on children. The Office for the Coordination of Humanitarian Affairs has recently reconvened the Inter-Agency Standing Committee reference group on humanitarian consequences of sanctions. This group will undertake and/or coordinate field assessments to monitor and evaluate the humanitarian implications of sanctions and to make available timely and comprehensive information on the impact of these coercive measures. I will encourage the active participation of UNICEF and the Office of the Special Representative for Children and Armed Conflict in these assessment missions. This will enable the Secretariat to provide the Security Council with better information on child-relevant aspects of sanctions and with more informed recommendations on humanitarian exemptions.

Recommendations

19. When imposing measures under Article 41 of the Charter, the Security Council is urged to develop a coordinated and integrated approach to minimize unintended consequences on civilian populations, especially children, primarily through the establishment of effective humanitarian exemptions. To this end, the Council could consider authorizing assessment missions to the targeted States and neighbouring countries before sanctions are imposed, with the aim of assessing the likely unintended consequences of sanctions and proposing appropriate measures to minimize such consequences and effective monitoring measures.

20. When adopting measures under Article 41 of the Charter, the Security Council is urged to reaffirm the responsibility of targeted States and armed groups to ensure the humanitarian protection of all those under their control, particularly children.

G. Uprooted and displaced children

28. In wartime, children often become separated from their homes and families as a consequence of hostilities, intimidation or the recruitment of some family members into armed groups while others flee to safer areas. In a recent study, Save the Children UK estimates that 13 million children have been violently displaced within the borders of their own countries. The Office for the Coordination of Humanitarian Affairs estimates that children comprise 75 per cent of the estimated 2.5 million people in Angola who have been displaced since the resumption of hostilities between government forces and UNITA rebels in December 1998. In January 2000 it was estimated that children and women comprised 68 per cent of the 800,000 internally displaced persons in Burundi.

29. Displaced populations lack dependable sources of food, water, income, healthcare and shelter, as well as the support of neighbours. The implications for infants and adolescents often go unrecognized while the little attention that is paid is focused on young children. WHO experience indicates that displaced mothers tend to reduce breast-feeding, while uprooted adolescents are at increased risk of sexually transmitted diseases, unwanted pregnancies, mental health problems, violence and substance abuse. In certain situations, displaced persons are often exposed to social stigmatization. Displaced youth are particularly vulnerable to recruitment into armed forces or groups.

30. Even children who manage to cross an international border and seek refuge in a neighbouring country are not necessarily safe. Adults escaping conflict are often traumatized and unable to provide the emotional and physical support children need. Both refugee and internally displaced children, especially those who have been separated from their families, are particularly vulnerable to abuse, including exploitation, sexual abuse and recruitment into armed groups or forces. Children who escape forced recruitment are often pursued and punished, or killed. UNHCR is taking steps to improve security at refugee camps. Developed by the International Save the Children Alliance and UNHCR, the newly finalized Action for the Rights of Children training resource packs are being used to train United Nations and non-governmental organization staff and government officials on how to protect the rights of refugee and other displaced children.

31. Many United Nations entities, including UNHCR, the World Food Programme (WFP), UNDP, UNICEF, the Office of the United Nations High Commissioner for Human Rights and the Office for the Coordination of Humanitarian Affairs, as well as ICRC and many international and local non-governmental organizations, are still involved in extending vital assistance to displaced persons. The Inter-Agency Standing Committee is actively developing policies and guidelines to more effectively address the needs of the internally displaced. This year's humanitarian segment of the Economic and Social Council will focus on the situation of the internally displaced during its discussion of measures to strengthen the coordination of humanitarian response in situations of displacement. My Representative on Internally Displaced Persons is devoting special attention to the needs of internally displaced children and women in all his field visits and regional seminars, and is working with the Special Representative for Children and Armed Conflict and the Save the Children Alliance to develop common approaches. In particular, Save the Children UK's recent publication *War Brought Us Here* has drawn international attention to the plight of internally displaced children. The focused studies by UNICEF of the situation of displaced children in Sri Lanka and Colombia have begun to fill the gap in our knowledge about the precise number and needs of displaced children and how best to respond.

32. Communications technology is increasingly being applied to address problems at field level. In the Federal Republic of Yugoslavia (Kosovo), the International Rescue Committee designed a "Child Connect" project to help all agencies working in the field to reunite lost children with their parents. A shared satellite/wireless Internet network was created in Pristina to enable all the tracing agencies in the region to submit their data via the Internet. Every United Nations agency, the Organization for Security and Cooperation in Europe (OSCE), several national missions, and the majority of non-governmental organizations are connected via the Internet into the network 24 hours a day. These agencies can submit data and

photographs of unaccompanied or separated children as well as search requests from parents.

33. In December 1999, following a recommendation by my Representative on Internally Displaced Persons, a global database on internal displacement was launched, which systematically collects, receives and disseminates information on internal displacement. It serves as an information centre on internal displacement, as well as a centralized archive of reference material on the issue, *inter alia*, to assist humanitarian organizations in field operations.

Box 2
Displaced children in the Democratic Republic of the Congo

The situation in the Democratic Republic of the Congo and surrounding countries is taking a dramatic toll on children. As I reported to the Security Council (S/2000/30) in January 2000, children in the Democratic Republic of the Congo have been victimized through displacement, separation from and loss of families, physical injuries, and exposure to chronic violence and forced recruitment into fighting forces. An estimated 10,000 to 20,000 children under 15 serve as combatants with the various fighting forces.

The International Rescue Committee has recently reported a dramatic increase in mortality in the eastern Democratic Republic of the Congo, largely because of displacement and disease. The United Nations estimates that some 1.3 million are displaced in the country. Over 210,000 internally displaced children are suffering from epidemic diseases and food shortages. Approximately 1,500 unaccompanied or separated children remained displaced early in the year at a camp in Kisangani. Cholera and dysentery claimed the lives of 260 children in the camp before government authorities agreed to transfer the rest to different locations. Government officials claimed the children were Mai-Mai combatants.

A UNICEF-supported census of minors in various cities estimated the number of street children at between 12,000 and 15,000 in Kinshasa alone. According to Save the Children UK, some 10,000 children are in need of protection in the urban areas of the Kivus.

Recommendations

21. It is recommended that the Security Council call upon parties to armed conflict to adhere to the Guiding Principles on Internal Displacement, which identify rights and guarantees relevant to the protection of persons, particularly children, from forced displacement and to their protection and assistance during displacement.

22. It is recommended that the Security Council urge parties to conflict to provide protection and practical support to internally displaced persons, the vast majority of whom are children and women.

23. The Security Council, regional and subregional organizations and Member States are called upon to consider taking effective measures and steps, including securing camps for displaced persons from infiltration by armed elements, to ensure that refugee and internally displaced children, whether in camps or other settlements, are physically secure.

24. The Security Council could consider urging States and parties to conflict to allow United Nations agencies and non-governmental organizations to more effectively monitor the situation of internally displaced children.

H. The rights and special needs of girls

34. There is still little awareness of the extreme suffering that armed conflict inflicts on girls or the many roles girls are often forced to play during conflict and long after. Girls are often abducted for sexual and other purposes by armed groups and forces. They face a variety of threats, including rape and forced prostitution. The work of the Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict and that of the Special Rapporteur on violence against women have drawn attention to the human rights violations, including sexual slavery, which are perpetrated against women and girls in times of armed conflict. The United Nations Population Fund has recently documented the frequent reports of trafficking in women and girls in Kosovo. During the crisis in Sierra Leone, women and girls have been subjected to systematic rape and sexual abuse. These experiences often result in psychosocial scars, unwanted pregnancies, and sexually transmitted diseases, including HIV/AIDS.

35. The social stigma attached to girls' experiences makes them reluctant to seek medical assistance or emotional support. They are often not adequately catered for in post-conflict educational and vocational training opportunities. Their special needs are rarely provided for in demobilization and reintegration programmes. Unaccompanied or orphaned girls are at greater risk of sexual abuse. As a result of the Rwandan genocide in 1994, an estimated 45,000 households were headed by children, 90 per cent of them girls. However, under Rwandan law, girls could not inherit land. Following his visit to Rwanda in February 1999, and building on the earlier work of several non-governmental organizations and United Nations agencies, my Special Representative for Children and Armed Conflict engaged in a dialogue with the Government, urging them to introduce legislation that would allow girls to inherit farms and other properties. In November 1999, the Government did enact legislation to this effect.

36. The United Nations system is addressing the needs of girls affected by armed conflict in several ways. The Department for Disarmament Affairs, the United Nations Development Fund for Women (UNIFEM), UNICEF, the Office of the United Nations High Commissioner for Human Rights and the Division for the Advancement of Women are collaborating on issues of gender and disarmament and will pay particular attention to the plight of female child soldiers. The results of an ongoing study by the Quaker United Nations Office on the experiences and needs of female child soldiers will be helpful in providing badly needed information required for programme planning. The training of United Nations peacekeeping staff will include the gender-related provisions of human rights and humanitarian law. Moreover, all United Nations personnel in the field, whether in humanitarian,

development or peacekeeping roles, in peacetime or conflict situations, will be expected to adhere to a strict code of conduct that requires dignified and respectful interaction with all elements of the civilian population. Allegations of sexual exploitation or abuse attributed to United Nations personnel will be swiftly investigated.

37. More fundamentally, the facade of impunity for the perpetrators of sexual violence against children in wartime is finally crumbling. The International Tribunals for the former Yugoslavia and Rwanda have obtained several convictions for sexual violence and rape. A recent case tried by the Tribunal for Rwanda resulted in a conviction for genocide and crimes against humanity for acts that included the rape of a very young girl. As noted above, particularly grave forms of sexual violence, including rape, sexual slavery and enforced prostitution, constitute war crimes within the jurisdiction of the International Criminal Court. Gender issues are being addressed throughout the procedures that will govern the Court, largely owing to the efforts of non-governmental organizations such as the Women's Gender Justice Caucus, supported by UNIFEM.

Box 3
Addressing gender violence

Prevention is key. UNHCR has issued guidelines for prevention and response to sexual violence aimed at ensuring the security of refugee camps and improving the protection of displaced persons. Post-conflict feelings of loss, resentment and helplessness can exacerbate the domestic abuse of children and women.

Coping with sexual abuse and rape. The extensive rape and sexual violence that is increasingly a tool of modern warfare has extensive repercussions in war's aftermath. In the Republic of the Congo, UNDP has experience in addressing issues of family and community reintegration, public sensitization via media campaigns, provision of medical care, and attention to psychosocial healing.

Post-conflict child prostitution, labour, domestic abuse and trafficking in children and women. The displacement and disruption caused by war create fertile ground for post-conflict exploitation of children and women as workers, prostitutes and black market employees. Flexible educational opportunities and economic rebuilding are essential to ensure alternatives to child labour. Among its many peace-building tasks, the United Nations mission in Kosovo has helped to build relevant domestic institutions and to train local police and social service staff in the detection and prevention of child abuse.

Reintegration. The enduring stigma of sexual violence can impede the reintegration of the victims into their own families and communities. Campaigns aimed at sensitizing others to the suffering children and women have endured during the conflict can be extremely helpful. In Kosovo, the particular reintegration needs of girls and women who have suffered sexual abuse are being met by educational and support programmes run by the International Rescue Committee, UNHCR and local non-governmental organizations.

Recommendations

25. It is recommended that the Security Council call on all parties to conflict and other concerned actors to give systematic consideration to the special needs and particular vulnerability of girls.

26. The rights, protection and special needs of girls and women should be adequately addressed during peace negotiations and in post-conflict arrangements. Steps should be taken to ensure that, particularly in post-conflict situations, girls and women are assured equal access to education, property inheritance, vocational training and employment opportunities. Particular attention should be paid to providing opportunities and resources for children abducted for sexual purposes in order that they may restart their lives independently of their abductors.

27. It is recommended that the Security Council urge all parties to conflict to promote the participation of women in peace processes.

I. Child soldiers

38. Children make obedient and cheap soldiers capable of instilling terror in civilians and opposing forces alike. Those who are forced to fight are generally poor, illiterate, and from rural zones. Those who volunteer are usually motivated by a desire to escape poverty or are easily lured by appeals to ethnic, religious or political ideologies. Adolescent youth in the throes of identity formation are particularly vulnerable to the lures of combat. Those who survive are often physically injured and psychologically scarred, having lost years of schooling and socialization. When a conflict ends, some are shunned, while others are expected to resume their roles as students, siblings, parents, community members and workers.

39. Effective prevention will have to be directed at the root causes of children's recruitment and participation in conflict, at particularly vulnerable groups of children at risk for recruitment, and at the recruiters themselves. The United Nations, the international and local communities, and countless non-governmental organizations are working worldwide to reduce poverty, improve educational and vocational opportunities, and create avenues for the participation of youth in the development of their communities and countries. In volatile places, such efforts are essential to future peace and security.

40. On the basis of consensus reached on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the international community should now speak with one voice in insisting on 18 as the minimum age for participation in conflict whether in armed forces or armed groups, in exerting concerted international pressure on all parties in conflict that exploit children as combatants, and in building the capacity and mobilizing more resources to respond to the rehabilitation needs of former child soldiers. The United Nations agencies and non-governmental organizations on the ground can play a critical preventive role by monitoring and reporting on groups particularly at risk, such as adolescents, children separated from their families, working and street children, while endeavouring to provide them with alternatives to enlistment. As for troops participating in United Nations field operations, as I announced on 29 October 1998, countries contributing to United Nations peacekeeping operations should not send

civilian police or military observers under the age of 25, and troops should, ideally, be over 21, but never younger than 18.

41. If former child soldiers are to become productive members of post-conflict societies, then alternatives to fighting and effective programmes for reintegration must be in place from the earliest stages of conflict until the end of the formal disarmament, demobilization and reintegration process. I indicated to the Security Council in my report on the role of United Nations peacekeeping in disarmament, demobilization and reintegration that such processes should be integrated into any peace agreement and that we should strengthen our focus on the needs of child soldiers. The Council endorsed and expanded upon this proposition in a presidential statement of 23 March 2000 (S/PRST/2000/10). The Lomé Peace Agreement for Sierra Leone, concluded in July 1999, was the first to stipulate that particular attention would be paid to the special needs of these child soldiers in existing disarmament, demobilization and reintegration processes. Unfortunately, the reality on the ground rarely unfolds as we prescribe. In Cambodia, El Salvador, Guatemala, Liberia, Mozambique and elsewhere, special attention was neither stipulated in the peace agreement nor provided within the disarmament, demobilization and reintegration processes.

42. In Liberia, despite the best efforts of UNICEF and non-governmental organizations, the final, hasty demobilization of some 21,000 combatants, including over 4,300 children, between November 1996 and February 1997 offered little of substance to child soldiers. Estimates are that thousands of Liberian child soldiers did not formally demobilize at all. They, together with many who did demobilize, remained in the bush under the de facto control of their military leaders. Many are believed to have continued fighting across the border in Sierra Leone.

43. As requested by the Security Council (S/PRST/2000/10), the United Nations system and its partners have been working to document lessons learned. Over the past year, UNICEF and the Office of the Special Representative for Children and Armed Conflict have participated in several efforts, led by the Department of Peacekeeping Operations and the Executive Committee on Humanitarian Affairs, to produce training materials and guidelines on disarmament, demobilization and reintegration processes, to meet the special needs of child soldiers. These efforts have sought to identify key issues and priorities in carrying out child-conscious disarmament, demobilization and reintegration activities, including the participation of children in the process of planning and implementing the programmes, providing secure and separate facilities for youth in demobilization encampments, providing opportunities for child soldiers to demobilize and reintegrate safely into civilian life even prior to a formal disarmament, demobilization and reintegration process, and ensuring that staff at demobilization sites are trained to detect and address the special needs of former child soldiers, and to pay particular attention to girl soldiers and camp followers.

Recommendations

28. It is critical to address the root causes of children's recruitment and participation in conflict, including social, economic and ideological factors.

29. Member States, multilateral donors and international non-governmental organizations should be encouraged to commit the

resources necessary to ensure adequate capacity and the long-term reintegration and rehabilitation of child soldiers.

30. It is proposed that the Security Council urge all concerned parties to ensure that the terms and conditions normally applied to the demobilization of adults, such as the presentation of functional firearms as evidence of eligibility for assistance, are adjusted in dealing with child soldiers.

J. Education and adolescents: two neglected concerns

44. Children need intellectual growth, as well as physical protection and humanitarian assistance. Given a child's right to education, emergency education in the midst of crisis is an important, but often overlooked, priority. The very routine of schooling, however informal, can be a therapeutic source of continuity and stability for children facing traumatic situations. Organized activities, such as drawing, reading, storytelling, music and sports, can be helpful outlets for children enduring the stresses of armed conflict. Sustained educational opportunities provide not just immediate relief but long-term benefits for national economic and social development, perhaps representing a step towards preventing future conflicts.

45. Adolescents are the most likely to become engaged in armed conflict, but the least likely to be in schools or participating in youth programmes. In many places, formal education ends after primary school, and there are fewer community programmes for adolescents. A recent study, *Untapped Potential: Adolescents Affected by Armed Conflict*, by the Women's Commission for Refugee Women and Children concludes that adolescents have distinct experiences in armed conflicts, and distinct needs and capacities for recovery. Adolescents are more likely than younger children to be recruited into military service, to be out of school because of lack of opportunities or household responsibilities, to be economically exploited and — in the case of girls in particular — to be sexually abused. At the same time, they often take on family and leadership roles, become heads of household, and serve as role models and mentors for peers. Education-for-peace initiatives that target youth and draw them into planning for post-conflict peace-building thus become doubly important. The special needs of adolescents, including counselling, vocational training, and alternative economic opportunities, should be given particular attention, especially in the post-conflict period.

Box 4
Providing educational opportunities in Kosovo and East Timor

Early in the Kosovo refugee crisis it became apparent that there was an urgent need to recruit and train teachers from within the refugee population, to provide learning materials, and to organize informal classes in the refugee camps and with host families. UNICEF and non-governmental organization partners, including Children's Direct Aid and Save the Children, prepared hundreds of thousands of school bags and instituted catch-up classes. Schools, used as barracks by the warring parties, suffered enormous destruction. School reconstruction has therefore been a major focus for UNICEF, UNHCR, the European

Community Humanitarian Office, USAID and many non-governmental organizations. To absorb the refugee influx, donors were asked to provide the means for expanding the capacities of local schools in the host communities. The United Nations mission in Kosovo chairs a task force on special education to help ensure that rebuilt schools are accessible to children with special needs.

Similarly, as soon as violence subsided in East Timor, UNICEF initiated an emergency programme to restart schooling. UNICEF provides support for the mass procurement and distribution of school materials, the provision of incentives for teachers to remain in the classroom until the United Nations Transitional Administration in East Timor can begin to provide salaries and school renovations. UNICEF and non-governmental organization partners have provided teacher-training activities, while WFP has helped UNICEF provide food to students.

46. In endeavouring to ensure that children affected by armed conflict are not denied their right to education, several considerations should be borne in mind. First, the content of the material being taught in schools matters both in time of conflict and during fragile post-conflict periods. In Kosovo, the curriculum for Serb and Albanian children had long been distinct and must now be unified, while providing space for cultural expression. In post-conflict Bosnia, children are reportedly separated along ethnic lines to receive distinct history lessons, a phenomenon sure to obstruct long-term reconciliation. Second, schools have sometimes served as recruitment centres for armed groups or forces and some teachers have used their influence over children to place them in harm's way. Third, it often requires persistence and vigilance to ensure equal access to educational opportunities for girls. Finally, a conscious effort must be made to ensure that educational opportunities reach children who are internally displaced, or in rural, typically under-served, areas. A recent initiative of UNHCR, the launching of a Refugee Education Trust, seeks to establish an independent fund for refugee post-primary education.

47. At the World Education Forum, held at Dakar in April 2000 to review the world's progress in providing basic education for all, an inter-agency group was formed, led by UNHCR, UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO), to strengthen the provision of education in emergencies. Although it is recognized that education is a critical tool for prevention, protection and reconciliation, efforts in this field remain extremely under-resourced.

Recommendations

31. Member States, the United Nations system, and non-governmental organizations should collaborate to ensure that children are provided with educational materials and opportunities, at both the primary and secondary levels, as a priority throughout and after periods of armed conflict. Particular attention should be paid to the provision of education for displaced children, adolescents, girls, disabled children, former child soldiers, and victims of sexual violence.

32. Member States, multilateral donors and international non-governmental organizations should be encouraged to provide the technical and financial resources required for sustained education for all children, both during and after conflict.

33. Peace negotiations and post-conflict arrangements should include explicit provisions to rebuild educational infrastructure, especially in rural and other areas most severely affected by conflict; to ensure broad access to primary and secondary education; and, where appropriate, to review the national curriculum.

34. Governments, educators and civil society should promote the values of tolerance, diversity, reconciliation, inter-communal social interaction and equity among children in order to lay a long-term foundation for sustainable peace.

IV. Integrating the protection of children into peacemaking and peacekeeping

A. Incorporating the protection of children into peace negotiations

48. Children have often been overlooked in peacemaking processes, and the price of this neglect is becoming painfully clear. Without specific references to children during peace negotiations, post-conflict programmes and resources will not be adequately allocated to meet children's needs.

49. The Security Council has urged all parties to conflict to take the rights and protection of children into account during peace negotiations. My Special Representative for Children and Armed Conflict has received in the course of the past year commitments from Governments and insurgent groups in Burundi, Colombia, Sierra Leone and the Sudan to place the rights and protection of children on the agendas of ongoing peace processes in those countries. To date, children have been explicitly mentioned only in the Good Friday Agreement concluded in 1998 regarding Northern Ireland and the Lomé Peace Agreement on Sierra Leone reached in July 1999. My Special Representative in Guatemala has joined forces with UNICEF to monitor advances for children as a result of the peace process, even though the rights and protection of children were not explicitly addressed in the various accords reached from 1994 to 1996.

B. Reporting to the Security Council on the fate of children affected by armed conflict

50. As requested by the Security Council in its resolution 1261 (1999), I have made it a point to regularly include information in my reports that would enable the Council to give special attention to the rights and protection of children when taking action on issues of peace and security. Over the course of the past year, my reports or presentations to the Council on the protection of civilians, the role of the United Nations in disarmament, demobilization and reintegration, and on sanctions have referred specifically to children. Moreover, my reports on the situations in Afghanistan, Angola, the Democratic Republic of the Congo, the Republic of the Congo, Iraq, Kosovo, East Timor, Sierra Leone, etc., have regularly included distinct references to child protection concerns. The result of this increased attention has been more child-conscious peacekeeping operation mandates and staffing tables.

C. Integrating the protection of children into United Nations peacekeeping operations

51. Peacekeeping missions can play, and have played, critical roles in providing protection to children. Recognizing this role, the Security Council has endorsed the proposal that the protection, rights and well-being of children be expressed as a priority concern in the mandates of peacekeeping operations. It has incorporated the protection of children into the mandates for the missions in Sierra Leone by its resolution 1260 (1999) and in the Democratic Republic of the Congo by its resolution 1279 (1999).

52. To ensure the implementation of the child protection dimension of the mandates of peacekeeping operations and to advise the head of a peacekeeping mission in a given country, the Security Council has adopted the proposal that senior child protection officers be deployed with peacekeeping operations. The Department of Peacekeeping Operations, the Office of the Special Representative for Children and Armed Conflict, and UNICEF, working in collaboration with other United Nations agencies, have finalized the terms of reference for Child Protection Advisers.

Box 5
Terms of reference for Child Protection Advisers

Child Protection Advisers are to assist the Special Representative of the Secretary-General or head of mission in carrying out the following tasks:

- To ensure that the rights and protection of all children are a priority throughout the peacekeeping process, the consolidation of peace, and the rebuilding of the war-affected country;
- To advocate, together with the United Nations country team, for the inclusion of children's rights and protection concerns on the agendas of United Nations coordination mechanisms, international and local non-governmental organizations and the international donor community;

- To ensure that the rights and protection of children are on the agendas of all relevant peacemaking commissions and bodies;
- To ensure that all key actors and mechanisms within the mission and in the context of the peace process take a child-conscious approach to their respective mandates;
- To identify resources and advocate that they be directed to gaps in funding or technical support for child-conscious programmes;
- To advocate for an appropriate national mechanism or process to ensure child protection (such as a national commission for children);
- To facilitate information-sharing among all key actors both in and outside the country;
- To act as liaison between different sectors of a peace operation and between the peace operation and all relevant agencies and entities, including the United Nations system, government, the international community, civil society and non-governmental organizations;
- To help ensure that all personnel involved in peacemaking, peacekeeping and peace-building activities have appropriate training on the protection and rights of children.

53. Two peacekeeping operations currently have senior Child Protection Advisers on the ground; two were seconded from UNICEF, and a third was previously with a United Nations peacekeeping operation. By resolution 1260 (1999) the Security Council authorized a senior Child Protection Adviser for the United Nations Mission in Sierra Leone (UNAMSIL), as well as two child rights officers, to work within the human rights component of the Mission. Similarly, by resolution 1279 (1999) the Council authorized child protection staff within the structure of MONUC. Two Child Protection Advisers are working with my Special Representative in Kinshasa and others are being recruited for imminent deployment.

54. Peacekeeping operations can help protect children by conveying information and positive messages of reconciliation to children and their families. In its resolution 1296 (2000), the Security Council has affirmed that, where appropriate, United Nations peacekeeping operations should include a mass media component that can disseminate information about child protection. Indeed, in terms of positive use of the media, the United Nations is already playing an active role. Field missions in Bosnia and Herzegovina, Cambodia, Kosovo and Liberia, for example, have been working with local radio stations to ensure responsible broadcasting practices and programmes. Entities such as UNICEF, UNHCR and UNDP often work with local and international broadcasters to produce radio material that addresses key themes, such as the rights of children and their protection, questions relating to refugees and internally displaced persons, and education and health.

Box 6
Voice of Children project

Information can be both a source of protection and a means of reconciliation. All United Nations field operations involved in peacekeeping and peace-building activities should work with local broadcasters to develop broadcasting tailored for children, and should provide access for children to express their own views via the media. The Special Representative for Children and Armed Conflict has proposed the development of radio programming to benefit war-affected children. Based on a partnership between local stations and international broadcasting networks, these programmes would seek to give voice to children's concerns, to offer education, training and entertainment, and to emphasize themes of tolerance, reconciliation and human rights. This is currently being explored in several war-ravaged countries.

Recommendation

35. It is recommended that the Security Council ensure that the mandates of all relevant United Nations peacekeeping operations include monitoring and reporting on the protection of children.

D. Training and oversight of United Nations peacekeeping staff

55. The Secretariat is working to ensure that United Nations personnel involved in peacemaking, peacekeeping and peace-building activities have appropriate training in international humanitarian, human rights and refugee law, including child- and gender-related provisions, as urged by the Security Council in resolutions 1261 (1999), 1265 (1999) and 1296 (2000).

56. Last August, on the fiftieth anniversary of the Geneva Conventions, I issued a bulletin (ST/SGB/1999/13) on the observance by United Nations forces of international humanitarian law which prohibits acts such as cruel treatment, rape and prostitution. It is declared that children shall be the object of special respect and shall be protected against any form of indecent assault. In reference to the treatment of detained persons, it is indicated that children under the age of 16 who take a direct part in hostilities and are detained or interned by United Nations forces shall continue to benefit from special protection.

57. Within a peacekeeping and post-conflict environment, it will also be useful to provide guidance on appropriate modes of response when confronted by child soldiers in the field, the protections due to detained child combatants and child civilians, and recommended procedures for responding to sexual abuse. To this end the Department of Peacekeeping Operations, the Office of the Special Representative for Children and Armed Conflict, UNICEF, the Office of the United Nations High Commissioner for Human Rights, UNHCR, and their non-governmental organization partners are exploring how best to improve the capacity of the United Nations and other actors to ensure that United Nations staff in the field

receive training in relevant norms and principles, as well as continuing guidance as dilemmas arise in the discharge of their functions. Among the collaborative initiatives under way, or in the planning stages, are the completion of a comprehensive training package called Action for the Rights of Children; pocket cards that would graphically relate basic standards of child protection for field staff; and a brief code of conduct for addressing the interaction between United Nations peacekeeping staff and the civilian population, especially children and women.

58. In Sierra Leone, the Child Protection Adviser with UNAMSIL is working with her colleagues in the military and human rights components of the mission and UNICEF to ensure that the training sessions for incoming peacekeeping troops include the child-relevant aspects of human rights and humanitarian law, the special needs of child soldiers within the disarmament, demobilization and reintegration process, and the practical issues involved in assisting and protecting child soldiers encountered while conducting field operations. The Child Protection Adviser has received training materials from Save the Children Sweden and is preparing a complete set of training materials while also trying to ensure that key materials are available in the first languages of some of the international troops.

59. The United Nations can help to train peacekeepers and monitor their conduct once they are on the ground. However, the time constraints, limited resources, and competing priorities typical in peacekeeping environments suggest that it is essential that Member States and regional organizations undertake preliminary training of troops in these areas on an ongoing basis. The United Nations stands ready to assist with such training efforts, within the limits of available resources, and encourages bilateral offers to provide technical assistance and training to national troops prior to their deployment in peacekeeping operations. The Organization for Security and Cooperation in Europe is working to ensure that child rights and protection feature prominently in the police training courses it is conducting for local forces in Kosovo, and for the members of its own police mission in Croatia. Save the Children Sweden and ECOWAS have embarked on a project to provide training in child rights and protection to military trainers for national militaries in West African countries; the first training session was held in June 2000.

60. In my report to the Security Council on the protection of civilians in armed conflict (S/1999/957), I proposed that all peacekeeping operations include a public ombudsman to deal with complaints from the public about the behaviour of United Nations peacekeepers. In that regard, it should be emphasized that troop-contributing States are under an obligation to investigate and prosecute violations of international humanitarian law committed by their personnel. I have also requested that troop-contributing States report to the United Nations on measures taken to prosecute members of their armed forces who have violated international humanitarian and human rights law while in the service of the United Nations.

Recommendations

36. Member States are asked to ensure the appropriate training and education of all civilian, military, police and humanitarian personnel involved in United Nations peacekeeping operations on international humanitarian, human rights and refugee law, especially on the rights and protection of children and women. Such training should be provided in advance of deploying troops to United Nations operations.

37. The Security Council may wish to request troop-contributing States to inform the United Nations Secretariat on measures taken to investigate and prosecute members of their armed forces who are alleged to have violated international humanitarian law, including the rights of children.

E. Addressing impunity

61. Peace and justice — both important to children — intersect in many ways in peace processes. Offers of amnesty may bring recalcitrant parties to the negotiating table and are sometimes awarded to fighting factions to help ensure their transformation into peaceful political participants. War-fatigued citizens sometimes express a preference for peace at almost any cost, as was the case in Sierra Leone. In other situations, such as in Rwanda, the perpetrators may be brought to trial, but the devastation of the domestic judicial system and the dearth of persons trained in the administration of justice may exclude the possibility of conducting fair criminal trials.

62. To ensure that truth and justice are not short-changed in efforts to establish peace, the Security Council in resolution 1261 (1999) stressed the responsibility of all States to bring an end to impunity and their obligation to prosecute those responsible for grave breaches of the Geneva Conventions of 12 August 1949. As a first step, United Nations field missions are working to ensure that truth-seeking processes address wartime crimes against children. In East Timor, for example, UNICEF organized a special session during the visit of the International Commission of Inquiry on East Timor to draw attention to the violations inflicted upon children and to raise awareness among the local population and non-governmental organizations. The Guatemalan Historical Clarification Commission noted the extent to which children had been affected by the civil conflict there, the high degree of social disintegration caused by the stigmatization of the victims, and the large-scale forced participation of young men from the age of 15 in the civil patrols. It called on the United Nations to assist in the implementation of their recommendations, including several specific to children. The United Nations Verification Mission in Guatemala (MINUGUA), UNICEF and the Office of the High Commissioner for Human Rights are now working to remove the obstacles to the creation of a special commission to locate children who disappeared during the armed conflict.

63. It is also significant that recent developments in international law now enable, and sometimes require, States to exercise jurisdiction over persons within their territory suspected of grave crimes under international law, regardless of where those crimes were committed and irrespective of the nationality of the accused or the victims. Crimes for which such "universal jurisdiction" can be invoked include grave breaches of the Geneva Conventions and violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

64. Although the prime responsibility for the prosecution of violations rests with the national authorities of the State within which the violations occurred, it is very rare to find a post-conflict setting in which the social and political environment permits prosecutions and the national justice system is adequate to the task. In Guatemala, for example, UNICEF and non-governmental organization partners note that by 1999 only 13 per cent of the judicial cases seeking justice for violations

committed against urban street children had been resolved. As noted above, the peace agreement in Guatemala did not explicitly call for strengthening child protection institutions and the juvenile justice system.

65. The state of the national justice system is of particular concern when children are to be prosecuted for serious wartime offences. Rwanda provides a telling example. As from June 1996, over 1,700 children accused of genocide were being detained in dreadful conditions. UNICEF, in collaboration with the Ministry of Justice, provided legal assistance for the 1,191 children of sufficient age to have been charged with criminal responsibility for genocide. Several years later, however, no special procedures have yet been devised to process these youth. Those too young to be charged and tried had yet to receive documentation and be reunited with their families. Children who are under the age of criminal responsibility must benefit from appropriate measures to promote physical and psychological recovery and social reintegration.

Recommendations

38. It is recommended that the Security Council urge Member States to take concrete steps to investigate, prosecute and sanction individuals and corporate enterprises involved in illegal trafficking of currency, arms, natural resources, or other resources that exacerbate armed conflicts where there is gross abuse and brutalization of children.

39. Genocide, war crimes and crimes against humanity and other egregious crimes perpetrated against children should be excluded from amnesty provisions contemplated during peace negotiations.

40. The Rules of Procedure and Evidence of the International Tribunals and the International Criminal Court should be designed to ensure the protection of child victims and witnesses involved in court proceedings at every stage.

41. The Security Council may wish to urge greater cooperation among Member States in tracking the movements and activities of individuals accused of war crimes, particularly crimes against children.

42. It is recommended that the Security Council urge Member States, parties to conflict and other concerned actors to ensure that truth-telling processes envisaged in the aftermath of conflict highlight abuses perpetrated against children and the circumstances that allowed such abuses to occur.

V. Post-conflict peace-building for children

66. One of the greatest challenges a country faces after war is the "crisis of young people" — the desperate conditions of very young children and adolescents. The prospects for recovery in many places will depend largely on ensuring a role for young people in the rebuilding process, on rehabilitating young people affected by the conflict, and on restoring a renewed sense of hope. My Special Representative for Children and Armed Conflict has made it an important aspect of his advocacy work to call on key actors responsible for designing post-conflict peace-building programmes, in particular national Governments, the World Bank, the European

Union, United Nations agencies, bilateral aid agencies and international non-governmental organizations, to make the rights, protection and well-being of children a central concern from the outset of their planning, programming and resource allocation.

67. As conflict winds down, concerted and effective response is required on a range of child-relevant matters including disarmament, demobilization and reintegration, reunification and resettlement of families and displaced children, programmes for mine awareness and the rehabilitation of child victims of landmines, programmes for physical and psychosocial rehabilitation for the injured, the maimed, the sexually abused and the traumatized, and provision and rehabilitation of basic medical and educational services. A parallel effort should be made to improve local capacity to take over the functions filled during war and peace-building by international non-governmental organizations and relief agencies. Often, in conflict situations, the most capable and highly skilled adults are targeted or leave the region, creating a vacuum both of skilled local personnel able to take on the task of rebuilding, and of role models for young people.

Box 7
Post-conflict response for children

Recent examples of concerted response in post-conflict situations include:

Psychosocial healing. Efforts to address psychosocial trauma should be community based and sensitive to local practices. In Sierra Leone, the Quick Impact Action Plans of UNDP are designed to help provide trauma healing and guidance for some of war's most vulnerable victims and have helped to train a cadre of trauma healers to work mainly with women and girls. In Kosovo, Serb and Albanian children are beginning to confront their traumatic experiences with the help of Médecins sans frontières, Clowns without Borders, and UNHCR.

Strengthening the normative and institutional framework for the protection of children's rights. In many post-conflict locations, including Cambodia, East Timor, Guatemala and Kosovo, the United Nations system is engaged in providing technical assistance to local authorities in the drafting and revision of legislation on children's rights and the reform and strengthening of the administration of justice and protective institutions. The first regulation issued by UNTAET ensured that the Convention on the Rights of the Child would be among the core human rights instruments to be implemented in East Timor.

Separated children. Families should be kept intact whenever possible. Children should be cared for appropriately when reunification is impossible. ICRC, non-governmental organizations, and United Nations agencies collaborate in many ways to trace children and reunite them with their families. International humanitarian law and the Convention emphasize the need to maintain the family unit and to restore links through family messages, tracing and reunification.

Child friendly spaces for development and protection. In East Timor, UNICEF, UNTAET and various non-governmental organizations collaborate to carve out "child friendly spaces" in which children are offered a range of services including health, psychosocial support, educational and recreational activities, and education in the rights of children. This programme replicates a similar successful endeavour launched by UNICEF to serve Kosovo Albanian refugees in Albania.

68. Many countries are caught in the grey and unpredictable zone between war and peace; armed conflict may erupt sporadically in particular regions of the country, conflict may tend in time to intensify and subside. In still other instances, many years can pass before peace takes root and consolidates sufficiently to inspire the confidence of the international community. Though opportunities exist to address the needs of children caught in these protracted conflicts, such as the provision of health care and education, donors are often reluctant to provide the necessary long-term assistance. Similarly, post-conflict rebuilding and rehabilitation require long-term attention. Unfortunately, these concerns too are often under-funded during emergency phases and may be neglected until the international community deems the environment safe for development programming and investment. Under the leadership of UNDP, an Inter-Agency Standing Committee reference group produced a detailed report identifying five major interrelated areas or "gaps" affecting post-conflict reintegration and rehabilitation operations. These relate to the inadequacy of national capacities; the political priorities of bilateral donors; unsynchronized transitional funding; the planning and programming of transitional activities by agencies; and inadequate efforts to reach agreements based on common strategic objectives. Continuous access to education is one of the most regrettable casualties of this relief-to-development gap.

69. I believe that much more also needs to be done to build local capacity on the ground for effective advocacy and post-conflict response on behalf of war-affected children.

Box 8
National Commission for War-affected Children in Sierra Leone

Following his visit to Sierra Leone in September 1999 and extensive consultations with the Government and civil society, my Special Representative for Children and Armed Conflict proposed the establishment of a National Commission for War-affected Children in order to ensure that the concerns and the well-being of children and the youth are taken fully into account in priority setting, resource allocation, programme planning and national policy-making, particularly during the process of peace consolidation and national reconstruction. In April 2000 the President of Sierra Leone announced the establishment of the National Commission for War-affected Children. Initial support for the work of the Commission is being provided by the Government of Canada.

Recommendations

43. In countries recovering from conflict, every effort should be made to ensure that the rights, protection and well-being of children are fully and systematically taken into account in priority setting, resource allocation, programme planning and national policy-making, especially in times of peace consolidation and reconstruction.

44. Countries affected by conflict should be encouraged to establish effective national institutions and mechanisms, such as a national commission for children, to ensure that the concerns of children are placed high on the national agenda.

45. The United Nations system, the donor community, and international non-governmental organizations should provide more support to strengthen the capacities of national institutions, local non-governmental organizations and civil society organizations to ensure sustainability.

VI. Regional initiatives on behalf of children affected by armed conflict

70. My Special Representative for Children and Armed Conflict has made it a priority to engage and encourage regional and subregional organizations to make the protection of children affected by armed conflict a vital aspect of their own agendas. I am very encouraged by the steps taken by these organizations to incorporate these concerns within their agendas.

71. The European Commission included the protection and promotion of the rights of the child, including those of child soldiers, among five thematic priorities for 1999 within the European Initiative for Democracy and Human Rights. The European Parliament held hearings on the protection of children affected by armed conflict and subsequently adopted a resolution supporting the raising of the age limit for recruitment and participation in hostilities to 18. In March 2000, the ACP-EU Joint Assembly adopted a comprehensive resolution on child soldiers.

72. Key elements proposed by my Special Representative for Children and Armed Conflict were endorsed by the ACP-EU Ministerial Negotiating Conference in 1999 and have been incorporated into the ACP-EU Partnership Agreement signed on 23 June in Benin. These elements express the intention of the parties to address the problem of child soldiers, to protect children, especially girls, and ensure their rights, to promote reintegration and rehabilitation of children in post-conflict situations, and to demobilize and reintegrate former child soldiers.

73. In April 2000, the Parliamentary Assembly of the Council of Europe held three debates highlighting the growing need to ensure the rights and protection of children continent-wide. The Assembly agreed that child soldiers and young victims of the Kosovo conflict needed special support, and also backed plans for a European ombudsman for children.

74. At the OSCE Review Conference held at Istanbul in November 1999, my Special Representative for Children and Armed Conflict proposed a 10-point agenda for dialogue with OSCE, building on earlier efforts by non-governmental organizations. Subsequently, participating states committed themselves in the

Declaration adopted at the Istanbul Summit and in the Charter for European Security to develop and implement measures to actively promote children's rights and interests, with particular attention to the physical and psychological well-being of children in conflict and post-conflict situations. They also decided to dedicate the OSCE Human Dimension Seminar for 2000 to the theme of children and armed conflict. That expert seminar, held in Warsaw from 23 to 26 May, resulted in a number of recommendations on how OSCE should integrate the protection and rights of children affected by armed conflict into its work, including addressing the issue within all bodies of OSCE, developing policies to promote and protect children affected by armed conflict, designating focal points on children in relevant field operations, and ensuring adequate training of staff. The Chairperson-in-Office is ensuring appropriate follow-up to these recommendations throughout the OSCE bodies and institutions, including at the next Ministerial Council meeting. I have encouraged continuing collaboration between OSCE and my Special Representative in the development of this agenda.

75. The Algiers Declaration, adopted by the Assembly of Heads of State and Government of the Organization of African Unity in July 1999, reaffirmed the determination of that organization to work relentlessly towards the promotion of the rights and welfare of the child, to combat all forms of child exploitation and, in particular, to end the phenomenon of child soldiers.

76. Following an appeal by my Special Representative for Children and Armed Conflict, the Heads of Government of the Commonwealth, at their meeting in Durban in November 1999, strongly condemned the targeting, abuse, recruitment and deployment of children in armed conflict, calling on all parties concerned to put an end to these practices.

77. A meeting of the ministers of ECOWAS countries in April 2000, sponsored by Ghana and Canada with the active support and participation of the Executive Secretary of ECOWAS and my Special Representative for Children and Armed Conflict, adopted a far-reaching declaration and plan of action to assist children affected by armed conflict in West Africa. The Accra Declaration and Plan of Action contain several important elements, including monitoring the implementation of international norms and standards for child protection; instituting a week of truce for the benefit of war-affected children; training for military and peacekeeping personnel in child rights and protection; establishing an office within the ECOWAS secretariat dedicated to the protection of child victims of war; and controlling illegal cross-border activities through mechanisms such as the ECOWAS moratorium on the importation and exportation of small arms.

78. Building on the momentum of Accra, the Government of Canada is planning to host an international conference on war-affected children, in Winnipeg in September 2000. The conference will bring together United Nations agencies, Governments, civil society and youth from all regions of the world.

79. In June 2000, the General Assembly of the Organization of American States adopted a resolution on children and armed conflict, calling on all parties to armed conflict to respect international humanitarian law relevant to children and urging member States to support efforts to demobilize, reintegrate and rehabilitate children affected by conflict.

80. In July 2000, the Ministers for Foreign Affairs of the G-8 industrialized countries, at their meeting in Okinawa, Japan, issued a report which identified the plight of children affected by armed conflict as one of the most disturbing human security issues facing the world today and promised to suppress armed conflict by removing the illicit arms and money that fuel it around the world. The Ministers promised to cooperate with the United Nations to pressure the perpetrators who either targeted or recruited children.

81. The United Nations is also engaged in building partnerships on the protection of children affected by armed conflict with the Council of Europe, the League of Arab States, the Organization of the Islamic Conference and the Inter-American Commission on Human Rights.

Recommendations

46. I recommend that the Security Council encourage continued collaboration between the United Nations and regional organizations for the protection of children affected by armed conflict.

47. Regional organizations should be encouraged to establish appropriate mechanisms to facilitate the development and implementation of policies and activities for the benefit of children affected by armed conflict within their regions.

48. Regional organizations should be encouraged to provide training in the protection and rights of children and women for personnel participating in regional peacekeeping, peacemaking and peace-building operations and to include child protection staff among the personnel of those operations.

49. Regional organizations should be encouraged to promote neighbourhood initiatives, such as the establishment of collaborative mechanisms for monitoring and curbing illicit cross-border flows of arms, natural resources and currency that fuel conflicts where children and women are the primary victims.

50. When imposing regional sanctions, regional organizations are urged to develop a coordinated and integrated approach to minimize unintended consequences on civilian populations, especially children. To this end, regional organizations should consider dispatching assessment missions to the targeted States and neighbouring countries before sanctions are imposed, with the aim of assessing the likely unintended consequences of sanctions and proposing humanitarian exemptions and other appropriate measures that could be taken to minimize such consequences.

51. Where regional legal instruments exist for protecting the rights of children, regional organizations should be encouraged to develop appropriate institutional mechanisms and capacity for monitoring the implementation of those instruments.

52. Regional organizations should be encouraged to cooperate in monitoring the movements and activities of individuals who are suspected of gross violations of the rights of children during armed conflict and in bringing them to justice.

VII. The role of non-governmental organizations and civil society

82. Non-governmental and other civil society organizations have an indispensable role to play in shaping the agenda for children affected by armed conflict. Their contribution can be particularly critical in three areas: building advocacy networks at both the national and international levels; developing operational programmes on the ground to respond more effectively to the needs of victimized children; and serving as an important source of information, ideas and new proposals on particular situations and issues.

83. On the ground, the partnership between the United Nations and non-governmental organizations takes on its most tangible, dynamic, and productive form, embodied in many joint projects and programmes. Through the years, Member States and international and non-governmental organizations have made impressive strides when they have worked in tandem, as the examples cited throughout this report illustrate so well.

84. Another important area where collaboration between the United Nations system and non-governmental organizations has made impressive strides is in carrying out advocacy on behalf of children affected by armed conflict. Several recent examples provide pointers for even more fruitful collaboration in the future. The advocacy campaign of the Coalition to Stop the Use of Child Soldiers was instrumental in building worldwide momentum for reaching an agreement on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. World Vision and the NGO Committee on UNICEF have developed and publicized proposals for the implementation of resolution 1261 (1999). Save the Children's report *War Brought Us Here* has helped to turn the global spotlight both on the plight of internally displaced children and on measures to assist them.

85. My Special Representative for Children and Armed Conflict has also been working with research and academic institutions to develop international networks of researchers to help fill some of the more evident gaps in our knowledge about how best to protect children in time of war and in war's aftermath. He is urging the development of an accessible body of lessons learned in the area of protection, rehabilitation and reintegration of war-affected children; assessments of the impact of interventions conducted on behalf of war-affected children; survey of and support for local value systems that are protective and supportive of children in situations of conflict and post-conflict; the development of more reliable data on the harm done to children during armed conflict; and further analysis of trends in the conduct of warfare relative to the disproportionate victimization of children in particular and of civilians in general.

Box 9
The Liberian Children's Initiative

The Liberian Children's Initiative illustrates how United Nations agencies, international and local non-governmental organizations, and other groups on the ground can work together on behalf of children. UNICEF and UNHCR developed a strategic partnership to address the

needs of returnees and internally displaced children and adolescents. The Adventist Development and Relief Agency and the International Rescue Committee expanded the Initiative's educational outreach by providing teacher training and income-generating projects. Radio programmes were produced and broadcast by a combination of international and local non-governmental organizations, including Search for Common Ground and Talking Drums, to reach a wider cross-section of the young returnees and resettled internally displaced persons, including those in schools, orphanages, refugee camps and transit centres. The Save the Children Fund implemented the family tracing, reunification and reintegration components of the project

86. The primary support for children affected by armed conflict will most often come from their families and communities. Indeed, the Convention on the Rights of the Child and international humanitarian law put special emphasis on maintaining the family unit. Mothers, in particular, are often the sole family support during, and often after, armed conflict. Parents, respected elders, and community leaders can be forceful advocates for the rights of children, as well as excellent sources of information about how children are faring during and after armed conflict.

87. Communities of faith have a crucial role to play in the protection of children through their advocacy efforts and work on the ground. Their spiritual leaders and institutions should use their moral influence, leadership and presence within communities to promote the protection of children and women. My Special Representative has developed an active dialogue with communities of faith with these objectives in view.

88. In this context, a very promising framework of cooperation has been developed with the World Council of Churches, a fellowship of over 300 churches active in more than 120 countries. In August 1999, my Special Representative addressed the Central Committee, which subsequently expressed strong support for Security Council resolution 1261 (1999) and resolved to incorporate the issue of children and armed conflict as a significant part of the programme and activities for the Council's Ecumenical Decade to Overcome Violence (2001-2010).

89. I also welcome the strong support expressed by the Vatican for the agenda of children affected by armed conflict and the engagement of the Catholic Church in communities affected by conflict. My Special Representative has also held consultations with the Secretary-General of the Organization of the Islamic Conference. I am encouraging my Special Representative to deepen this engagement and to continue exploring possibilities for collaboration with all major communities of faith.

Recommendations

53. I recommend that the Security Council systematically seek and take into account information from the non-governmental organization community on compliance by parties to conflict with their obligations and commitments with regard to child protection.

54. Local and international non-governmental organizations should be encouraged to collaborate with Governments and United Nations agencies in efforts to mobilize public opinion and political pressure for the protection of children in particular situations of armed conflict.

55. Non-governmental organizations engaged in providing humanitarian and development assistance on the ground in the midst of, and in the aftermath of, conflicts should ensure that the rights, protection and well-being of children constitute a central concern in their programme development, priority setting and resource allocation.

VIII. Concluding observations

90. From its earliest days, the United Nations has sought more effective means of influencing the policies and behaviour of parties to conflict. Far too often, children have been the innocent victims of the persistent gap between law and practice, and between commitments and performance. In the end, the perpetrators of these affronts to international human rights and humanitarian standards need to be convinced that the costs of their behaviour outweigh any perceived benefits. By focusing the light of public scrutiny on these practices, concerned Governments, the United Nations, non-governmental organizations, scholars and the media have started to raise the political and material costs to those who would violate the rights of children in situations of armed conflict. They should understand that resolution 1261 (1999) represents the proverbial "writing on the wall".

91. This report has identified many steps that are under way, and many more that could be usefully taken by a wide range of national, regional and international actors to fulfil our collective responsibilities towards children. Progress is required simultaneously on many fronts. Above all, the international community must do much more to move from words to deeds, from the drafting of norms to an era of application. More of the world's research, analytical and intellectual talent will have to be harnessed to the task of developing fresh ideas for protecting children and for deterring those who would exploit them in times of conflict. The impact of our efforts on the lives of the children we hope to protect needs to be examined more systematically, as part of a continuous assessment of how our performance could be improved, including additional steps to foster greater coordination and coherence of effort throughout the international community on this challenging cross-cutting issue.

92. Ultimately, of course, the best way to reduce the harm done to children is to prevent armed conflict in the first place, to build the "culture of prevention" called for by the Security Council (S/PRST/1999/34) of 30 November 1999. This will entail narrowing structural inequities and addressing the extreme poverty, practices of exclusion and manipulation of diversity that are at the root of so many of today's conflicts. Development strategies should aim to reduce the systematic imbalances in resource distribution within and among countries. Through democratic practice and the rule of law, competing claims within societies should be mediated peacefully and routinely, rather than through resort to violence.

93. As indicated in my report to the Security Council on the protection of civilians in armed conflict, more timely early warning systems and better ongoing monitoring

and reporting are needed if the worst abuses are to be prevented. The vulnerability of children should be assessed and addressed from the earliest stages.

94. In preparing periodic reports on disputes that could threaten international peace and security, as requested by the Security Council and mandated under Article 99 of the Charter, I intend to continue to pay particular attention to issues regarding the protection of children affected by armed conflict. The United Nations operational agencies and programmes can provide invaluable and timely information on impending abuses, as can private voluntary agencies working in the field.

95. Should preventive steps fail, however, concerted efforts at the local, national, regional and global levels are needed to protect children from the most damaging effects of war. Meeting this dual challenge will entail integrating children's concerns and perspectives into the development of system-wide strategies both for conflict prevention and for the protection of civilians from armed conflict.

96. The United Nations will continue to seek closer cooperation and more regular consultations with regional and subregional organizations and arrangements concerning the protection of children affected by armed conflict. Their potential role in developing policies, mechanisms and peer pressure for the protection of children is very significant and should be fully encouraged.

97. Finally, the question of children and armed conflict is an integral part of the United Nations core responsibilities for the maintenance of international peace and security, for the advancement of human rights, and for sustainable human development. As several recent cases demonstrate, it is not enough to include forward-looking provisions for children in peace agreements, peacekeeping mandates, and national legislation if the overall peace and security situation is allowed to deteriorate. More effective tools need to be developed to influence the behaviour of parties to conflict, and the will to use those tools in a concerted and timely manner needs to be summoned.